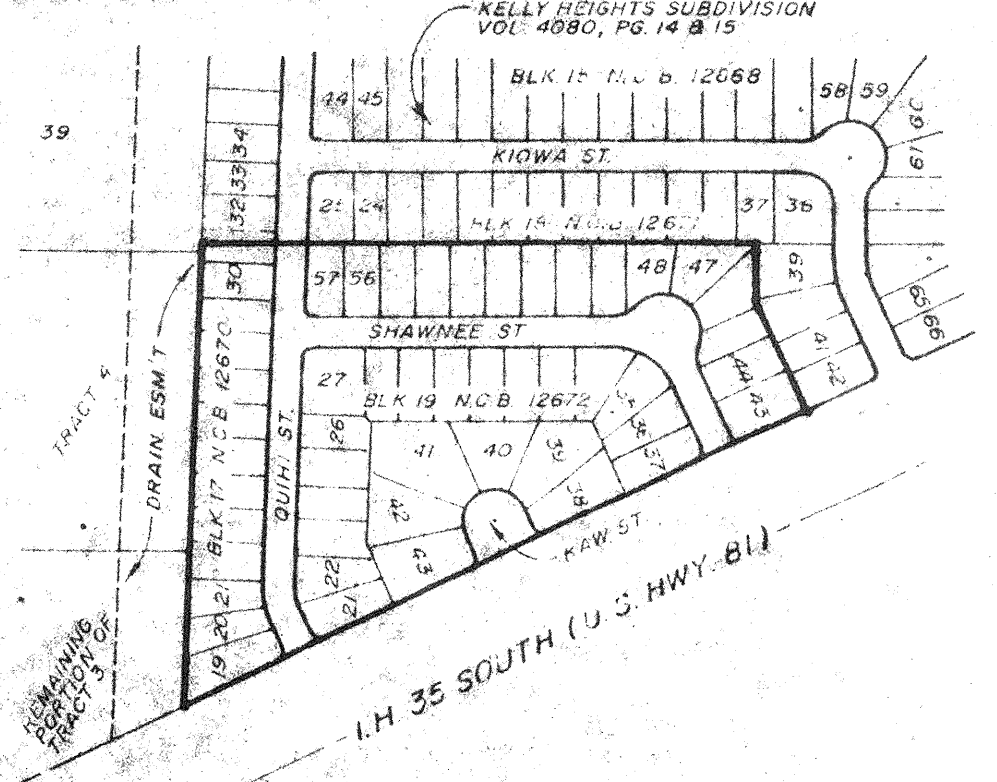
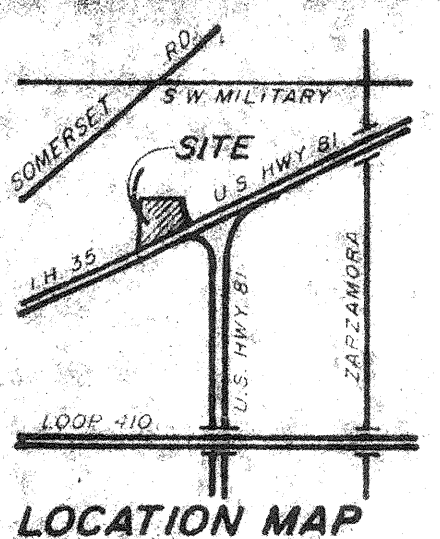


350601
1987 MAR 31 AM 11:59



**AREA BEING REPLATED
THROUGH PUBLIC HEARING**
SCALE: 1" = 100'

The area being replatted on this plat had been previously platted on a plat known as Kelly Heights Subdivision, which is recorded in Volume 4080, Pages 14 and 15, Bexar County Deed and Plat Records. Shawnee, Kaw and Quini Streets have been closed and abandoned by City Council Ordinance No. 53786, passed and approved October 2, 1986, as recorded in Volume 3836, Page 996 in the Deed and Plat Records of Bexar County, Texas.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, AND TO THE BEST OF MY KNOWLEDGE THIS CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE PLANNING COMMISSION OF THE CITY.

Harry B. Jewett, III
REGISTERED PROFESSIONAL ENGINEER

SWORN TO AND SUBSCRIBED BEFORE ME THIS 25th DAY OF June A.D. 1986

Karen J. Landholt
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

DULY AUTHORIZED AGENT

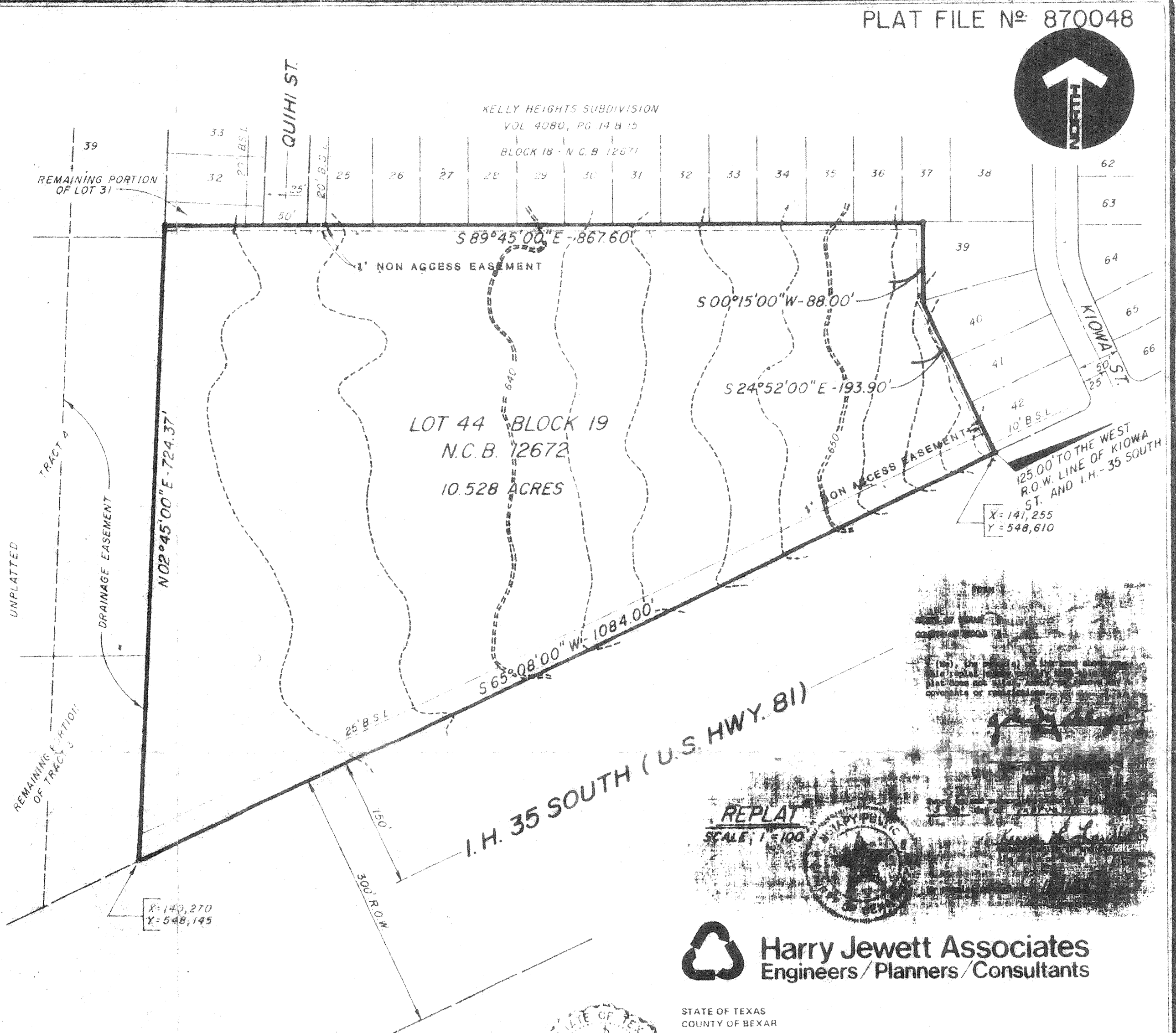
THIS PLAT OF KELLY HEIGHTS SUBDIVISION, UNIT 2 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 25th DAY OF March A.D. 1987
THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS

BY *[Signature]* CHAIRMAN
BY *[Signature]* SECRETARY

THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM CITY PUBLIC SERVICE BOARD IS HEREBY DEDICATING THE EASEMENTS AND RIGHTS OF WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AND IN AREAS SPECIFIED BY SEPARATE EASEMENT RECORDED IN THE DEED RECORDS OF BEXAR COUNTY, TEXAS AS "ELECTRIC EASEMENT", "GAS EASEMENT", "CITY EASEMENT", "SERVICE EASEMENT", "OVERHANG EASEMENT", "UTILITY EASEMENT", AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANDING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT OF WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THEREOF. IT IS AGREED AND UNDERSTOOD THAT NO BUILDING, CONCRETE SLABS OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.

ANY LOSS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF T-POD EQUIPMENT, LOCATED WITHIN SAID EASEMENT DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION.



**REPLAT ESTABLISHING
KELLY HEIGHTS SUBDIVISION UNIT 2**

BEING A
Replat of Lots 19 through 30 and a portion of Lot 31, Block 17, N.C.B. 12670, Lots 43 through 57, Block 18, N.C.B. 12671, Lots 21 through 42, Block 19, N.C.B. 12672, Kelly Heights Subdivision, as shown on the Volume 4080, Pages 14 and 15, Bexar County Deed and Plat Records, and a portion of Shawnee, Kaw and Quini Streets closed and abandoned by City Council Ordinance No. 53786, passed and approved October 2, 1986, as recorded in Volume 3836, Page 996 in the Deed and Plat Records of Bexar County, Texas, and a replat establishing Lot 44, Block 19, N.C.B. 12672, Kelly Heights Subdivision, Unit 2, containing 10.528 acres.

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED *[Signature]* KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 4th DAY OF August A.D. 1986

CINDY BRENNAN
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

REPLAT
SCALE: 1" = 100'

Harry Jewett Associates
Engineers/Planners/Consultants

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND

Harry B. Jewett, III
REGISTERED PUBLIC SURVEYOR

SWORN TO AND SUBSCRIBED BEFORE ME THIS 25th DAY OF June A.D. 1986

Karen J. Landholt
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

I, Robert D. Green, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE 31st DAY OF March A.D. 1987 AT 11:59 P.M.

AND DULY RECORDED THE 2nd DAY OF April A.D. 1987

AT 9:10 A.M. IN THE RECORDS OF Deeds & Plats

OF SAID COUNTY, IN BOOK VOLUME 9516, ON PAGE 75

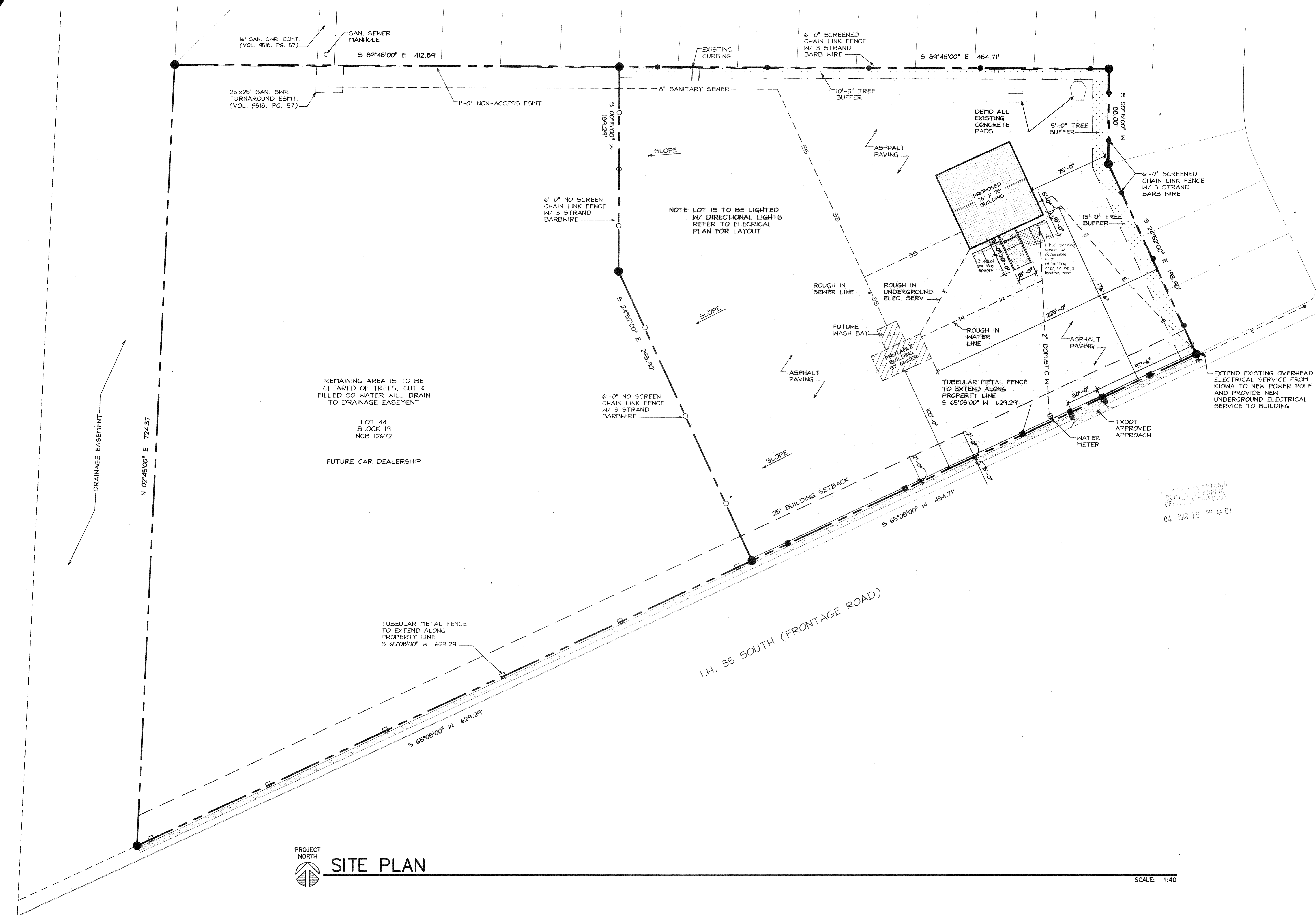
IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 2nd DAY OF April A.D. 1987

BY *[Signature]* COUNTY CLERK, BEXAR COUNTY, TEXAS

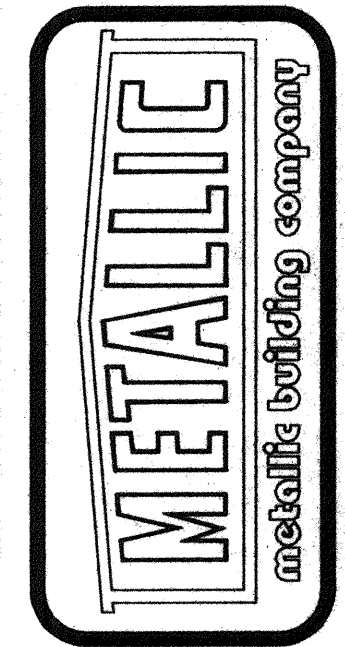
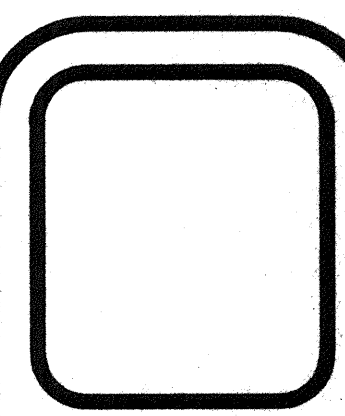
VOL. 9516

75

VRP# 04-04-083



04 MAR 19 PM 4:01



PECO
CONSTRUCTION COMPANY
GENERAL CONTRACTORS

DOMINGO VARA
CHEVROLET
8619 I.H. 35 S
SAN ANTONIO, TX.

drawn by: date:
P.A.G. 12/05/03
XXXXXX

SHEET NUMBER:
A-1

VRP# 04-04-083



City of San Antonio
Development Services Department
Vested Rights Permit/Consent Agreement
APPLICATION

Permit File: # 04-04-083
Assigned by city staff

Date: _____

☒ **Vested Rights Permit**

☐ **Consent Agreement**

1. All applicable information on application must be legibly printed or typed for processing. *If application is completed on behalf of the property owner please attach power of attorney or letter of agent.*
2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.

***Note: All Applications must comply with the Unified Development Code (UDC),
Section 35-B124 Vested Rights Determination for the City of San Antonio.***

(a) Owner/Agent: Vara Chevrolet

Phone: 924-2000 Fax: 927-3332

Address: 8011 I.H. 35 South

City: San Antonio State: Texas Zip code: 78224

Engineer/Surveyor: Harry Jewett

Address: 2611 North Main Ave.

City: San Antonio State: Texas Zip code: 78224

(b) Name of Project: Vara Chevrolet

(c) (k) Site location or address of Project and Legal description:

8619 I.H. 35 South

San Antonio, Texas 78224

Lot 44, Block 19, NCB 12672

CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR
MAR 19 PM 4:01

VRP # 04-04-083

City of San Antonio

Vested Rights Permit

- #3** Because of being land locked at present location, purchased 10 acs. For immediate use, new car storage, arts warehouse and used car sales, with future new dealership. Number of buildings in immediate use (2) on 4 ac. of asphalt with a 10'-0 rear and 15'-0 side buffer adjacent to residences. Future use number not known at this time. The parts warehouse will be a metal building. The used car sales will be a portable building for immediate future.

CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR
04 MAR 19 PM 4:01

Council District 4 ETJ N/A Over Edward's Aquifer Recharge? () yes (x) no

3. What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.*

(d) Total land use, in square feet 10.528 AC = 458,591 sq. ft.

(e) Total area of impervious surface, in square feet 164,686 - phase I

(f) Number of residential dwellings units, by type; N/A

(g) Type and amount of non-residential square footage; warehouse 5625 sq.ft. used car sales approx. 1250 sq.ft.

(h) Number of residential dwellings units, by type (If Applicable); N/A

(i) Phases of the development, (If Applicable); 2

4. What is the date the applicant claims rights vested for this Project? 8-6-2003

(i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

4. What, if any, construction or related actions have taken place on the property since that date?

Nothing

5. By what means does the applicant claim rights vested for this Project? *Please specify all that may be applicable.*

• PERMIT

Type of Permit: _____ Date of Application: _____

Permit Number: _____ Date issued: _____

Expiration Date: _____ Acreage: _____

MAY 10 2003
 DEPT. OF PLANNING
 OFFICE OF DIRECTOR
 MAR 9 PM 4:01

Permit File # 04-04-083

7. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.

• PERMIT

Type of Permit: _____ Date of Application: _____

Permit Number: _____ Date issued: _____

Expiration Date: _____ Acreage: _____

• MASTER DEVELOPMENT PLAN (MDP) (Formerly POADP)*

accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months for the POADP acceptance date.

Name: _____ # _____

Date accepted: _____ Expiration Date: _____ MDP Size: _____ acres

• P.U.D. PLAN

Name: _____ # _____

Date accepted: _____

• Plat Application

Plat Name: _____ Plat # _____ Acreage: _____

Date submitted: _____ Expiration Date: _____

(Note: Plat must be approved within 18 months of application submittal date).

• Approved Plat

Unit 2
Plat Name: Kelly Heights Subdivision Plat # 870048 Acreage: 10.528 Approval
Date: 3-31-87 Plat recording Date: 4-2-87 Expiration Date: - Vol./Pg. 9516, p. 75

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

• Other

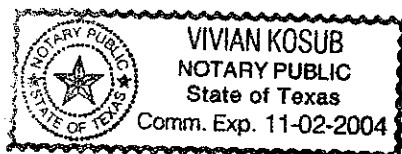
NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

I hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

Print name: Domingo VARA Signature: [Signature] Date: 3/18/04

Sworn to and subscribed before me by Domingo Vara on this 18th day of March in the year 2004, to certify which witness my hand and seal of office.

1/29/04



Vivian Kosub

Permit File # 04-04-083
Notary Public, State of Texas

City of San Antonio use

Permit File: # _____
Assigned by city staff

Date: _____

☒ Approved

☐ Disapproved

Review By: *WHL*
Development Services Department

Date: *2/5/04*

Comments: *As of August 1, 2003 for*
site of dispute on Recorded subdivision
plot Vol. 9516, PG. 75

CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR
04 MAR 19 PM 4:01



City of San Antonio

DEV. SERVICES

Vested Rights Permit
APPLICATION

APR 1 5 A 1:20

Permit File: #VRP 04-04-083

Received: March 24, 2004

RECOMMENDATION OF THE CITY ATTORNEY'S OFFICE

CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION


*Not Subject To Disclosure
Under Any Open Records or Public Disclosure Law*

The City Attorney's Office recommends the Development Services Department decide this application in the following manner:

☒ **Approval** ☐ **Disapproval** ☒ **Return to Applicant**

Again, this is the recommendation of the City Attorney's Office. It is not and shall not be taken as nor substituted for the decision of the Director of the Development Services Department.

Reviewed By:


Norbert J. Hart
Assistant City Attorney

Date: April 2, 2004

Comments: Recommend that the application be approved effective August 6, 2003 subject to applicant providing the information required in 35-B124(i) to support such date. (For example, such information could include a copy of the deed.)



City of San Antonio
Development Services Department
Vested Rights Permit Application
Completeness Review



*Note: All Applications must comply with the Unified Development Code (UDC),
Section 35-B124 Vested Rights Determination for the City of San Antonio.*

Required Items: Section 35-B124, Vested Rights' Determination

An Application for a Vested Rights Determination shall be made by the Applicant on a form established for such purpose and provided by the City and shall contain at least the following information:

1. Appropriate filing fee.
2. Section 35-B124
 - (a) Name and address of Applicant;
 - (b) Project description and name of subdivision or development, if applicable;
 - (c) Location of development;
 - (d) Total land area, in square feet;
 - (e) Total area of impervious surface, in square feet;
 - (f) Number of residential dwelling units, by type;
 - (g) Type and amount of non-residential square footage;
 - (h) Phases of the development, if applicable;
 - (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;
 - (j) A Sworn Statement, in a form prescribed by the City, and signed by the Applicant; and
 - (k) A legal description of the Property

CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR
04 MAR 19 PM 4:03

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following:

- a timing and phasing plan for the proposed development;
- a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed;
- and the conditions under which approvals or permits will lapse or may be revoked.

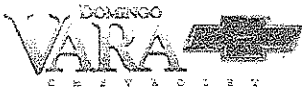
A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

☒ **Accepted**

☐ **Rejected**

Completeness Review By: _____

Date: _____



8011 IH 35 SOUTH
San Antonio, TX 78224
(210) 924-2000

CHASE BANK OF TEXAS, N.A.
SAN ANTONIO, TEXAS

131231

VENDOR	CHECK	DATE	OP	BANK ACCT.	AMOUNT
	131231	03/18/2004	YB	202	\$160.00

*** ONE HUNDRED SIXTY AND 00/100 DOLLARS

PAY TO THE ORDER OF
CITY OF SAN ANTONIO

DOMINGO VARA CHEVROLET
VOID AFTER 90 DAYS

By

By

⑈131231⑈ ⑆111001150⑆ ⑈06407079080⑈

DOMINGO VARA CHEVROLET • SAN ANTONIO, TX 78224

GL #	CONTROL	REFER	AMOUNT	DISC/MEMO	DESC	
220	00000001		160.00		MISC CONTROL NUMBER	

* YB 03/18/04 131231
03/18/04 08:23

NOTE: VESTED RIGHTS PERMIT

VRP 04-04-083

04 MAR 19 PM 4:00
CITY OF SAN ANTONIO
OFFICE OF PLANNING
OFFICE OF DIRECTOR

DETACHED CHECK IS PAYMENT OF ACCOUNT SHOWN ABOVE. IF INCORRECT RETURN WITHOUT ALTERATIONS.